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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,507	10/12/2001	David S. Allison	0007056-0205/P5938	3875

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EXAMINER
INGBERG, TODD D

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) *

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims 1 – 16 have been examined.

Drawings

1.   Drawings submitted February 6, 2002 have been accepted.

Oath/Declaration

2.   It does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56. Applicant has elected to select portions of 37 CFR 1.56. The United States Patent Office does not offer this as an option.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   Claims 1 – 8 are rejected under 101 for failing to be concrete and tangible. A suggestion on how to overcome this rejection is made below:

Claim 1
A method **executing on a computer readable medium** for implementing a stream operator built into an environment comprising: determining if an I/O operation in said environment having said stream operator occurs ; and performing said I/O operation with said stream operator if said I/O operation occurs.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1 – 16 are rejected under 35 U.S.C. 102(b) as being anticipated by GW-BASIC from 1988.

Claim 1
GW-Basic anticipates a method for implementing a stream operator built into an environment (GW-Basic, The interpreter is built in, page 15) comprising: determining if an I/O operation in said environment having said stream operator occurs (GW-Basic page 13, from different I/O), ; and performing said I/O operation with said stream operator if said I/O operation occurs (GW-Basic, page 13, INPUT and INPUT$ and page 93).

Claim 2
The method of claim 1 wherein said stream operator allows a value of one type to be streamed to a value of another type. (GW-Basic, pages 51 – 52 shows types and 54 – 55 shows conversion – The ability to INPUT to a variable of a different type using a conversion reads on the present limitations).
Examiner's Note
This rejection can be overcome by limitations that do not allow for a casting operation (type conversion). A limitation specifically stating *directly into in another format*.

Claim 3
The method of claim 1 wherein said stream operator allows a value of one type to be streamed to a value of type stream. (as per Claim 1 with stream being of type string character).

Claim 4
The method of claim 1. herein said stream operator allows a value of type stream to be streamed to a value of another type. As per the rejection of claim 2.

Claim 5
The method of claim 2 wherein said one type is of any type supported by said environment. (**GW-Basic,** pages 53- 54, show the valid types support by GW-Basic).

Claim 6
The method of claim 1 wherein said any type can be modified depending on the type of operands of said environment. (as per claim 1 INPUT is an operand and the Casting operation/ type conversion is an operand).
Examiner's Note
This rejection can be overcome by limitations that distinguish the operand to be from the original input stream.

Claim 7
The method of claim 1 wherein said stream operator is used to access files. (**GW-Basic,** example on page 41).

Claim 8
The method of claim 1 wherein said stream operator is used to connect to a network. (**GW-Basic,** pages 95 96, ability to communicate with TTY).

Claim 9
A computer program product comprising: a computer useable medium having computer readable
program code embodied therein configured to implement a stream operator built into an
environment, said computer program product comprising:
          computer readable code configured therein to cause a computer to determine if an
I/O operation in said environment having said stream operator occurs; and computer readable
code configured therein to cause a computer to perform said I/O operation with said stream
operator if said I/O operation occurs. As per claim 1.

Claim 10
The computer program product of claim 9 wherein said stream operator allows a value of one
type to be streamed to a value of another type. As per the rejection of claim 2.

Claim 11
The computer program product of claim '9 wherein said stream operator allows a value of one
type to be streamed to a value of type stream. As per the rejection of claim 3.

Claim 12
The computer program product of claim 9 wherein said stream operator allows a value of type
stream to be streamed to a value of another type. As per the rejection of claim 2.

Claim 13
The computer program product of claim. 10 wherein said one type is of any type supported by
said environment. As per the rejection of claim 5.

Claim 14
The computer program product of claim 13 wherein said any type can be modified depending on
the type of operands of said environment. As per the rejection of claim 6.

Claim 15
The computer program product of claim 9 wherein said stream operator is used to access files.
As per the rejection of claim 7.

Claim 16
The computer program product of claim 9 wherein said stream operator is used to connect to a
network. As per the rejection of claim 8.

Correspondence Information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to **Todd Ingberg** whose telephone number is (703) 305-9775. The

examiner can normally be reached during the following hours:

Monday	Tuesday	Wednesday	Thursday	Friday
6:15 – 1:30	6:15- 3:45	6:15 – 4:45	6:15-3:45	6:15-130

This schedule began December 1, 2003 and is subject to change.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Kakali Chaki** can be reached on (703) 305-9662. Please, note that as of August 4,

2003 the **FAX number** changed for the organization where this application or proceeding is

assigned is **(703) 872-9306**.

Also, be advised the United States Patent Office **new address** is

Post Office Box 1450

Alexandria, Virginia 22313-1450

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-9700.

Special Notice

7.   Please, Note the Examiner's telephone number will change in October when the Art Unit moves to the new location. The Examiner's new telephone number will be as follows:

(571) 272-3723

Todd Ingberg
Primary Examiner
Art Unit 2124
September 1, 2004